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EDOLPHUS "ED" TOWNS

MEMBER OF CONGRESS
10TH DISTRICT, NEW YORK

ENERGY AND COMMERCE

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Congress of the United States
House of Representatives
Washington, DC 20515-3710

April 27, 2004

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Federal Communications Commission
Office of the Secretary

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The Honorable Michael Powell
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Powell:

I am writing to express my concerns about the reported Federal Communications Commission (FCC) plan to address interference in the 800 MHz band.

As the most populous city in the nation and a prime target of terrorist activity, New York City's public safety communications needs are extensive. Likewise, any rebanding or transformation of the City's existing communication systems will be very costly. Thus, I have serious reservations about the adequacy of the funds that would be set aside for this purpose in the FCC's plan. Localities need sufficient funds not only for the rebanding but also to test communication systems and fix potential problems in the future. Given the financial difficulties facing many cities across the nation, we cannot afford to saddle our urban centers with any unfunded mandates. Thus, it is critical that the plan devote adequate funds to localities to reband their communication systems. I would appreciate it if the FCC could forward me any detailed estimates it has produced on the transformation costs, especially as it relates to the needs of public safety in New York City.

I hope that the Commission will also take note of the significant issues raised by the Fraternal Order of Police (FOP) regarding the pending FCC proposal. The FOP is the largest rank and file law enforcement organization in the country with more than 300,000 members. These officers, whose lives depend upon reliable public safety communications, are very concerned about the funding scheme that will be used for rebanding.

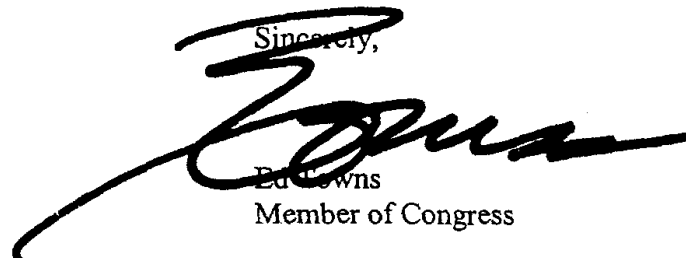
Specifically, the FOP is worried that the proposal would require local police and fire departments to rely on a vague entity controlled by a private company to be reimbursed. Even more problematic is the fact that local public safety units must incur the costs to adjust their communication systems up front and then be reimbursed at some later point. This may not be feasible given the financial constraints currently placed on localities across the nation. Consequently, many localities may put off rebanding until they have sufficient resources, which would substantially delay resolution of this problem. Please respond to me in writing about the steps the FCC is taking to address the FOP's concerns.

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Chairman Powell
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I strongly urge you to consider the concerns that I have outlined and I look forward to your written responses to the requests which I have outlined prior to any FCC decision. Again, thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ed Towns', with a long, sweeping underline that extends to the left.

Ed Towns
Member of Congress

cc: Commissioner Kathleen Q. Abernathy
Commissioner Kevin J. Martin
Commissioner Jonathan S. Adelstein
Commissioner Michael J. Copps